

REMARKS

Favorable reconsideration of this application as amended is respectfully requested.

The objection to Claim 3 is respectfully traversed, because the objection refers to Figs. 5-8 which show a non-elected embodiment. Claim 3 is clearly consistent with the elected embodiment of Figs. 9-16.

Claim 7 has been amended to overcome the objection to Claims 7-13.

The claims have been amended, where appropriate, to distinguish patentably from the references relied upon in the rejections under 35 USC §102(b) and §103(a).

Independent Claim 1 now recites a plurality of individual holding piece arms, extending radially outward from corresponding partial portions of a periphery of a first end of the shank, and substantially in a same plane as the first end of the shank, the holding piece arms being separated from each other by open spaces in said plane that are substantially greater in width than width of said arms in said plane.

Independent Claim 7 now recites a plurality of individual holding piece arms projecting radially outward from the opposite end of the shank (opposite to the flange end) substantially in a same plane as the opposite end of

the shank and adjacent to the first side of the sheet-shaped member, the holding piece arms being separated from each other by open spaces in said plane that are substantially greater in width than width of said arms in said plane.

As amended, Claims 1 and 7 clearly distinguish from any reasonable interpretation of the principal reference, Mizusawa, who discloses an end 10 of the nut 1 that is hexagonal or that is a knurled knob, and from any reasonable interpretation of Mizusawa in view of Dixon.

The arms recited in Claims 1 and 7, represented, for example, by elements 13' in Fig. 9, are highly advantageous. As pointed out on page 10 of Applicants' specification, Applicants' arrangement of holding piece arms (defined more specifically in new dependent claims 14 and 15) permits the fastener to be readily inserted into a mounting hole of a silencer. Nevertheless, after the attaching operation of the fastener, the holding piece arms reliably hold the silencer without escaping through the mounting hole. This result cannot be achieved with the prior art.

Accordingly, independent Claims 1 and 7 and the claims dependent thereon should be allowed. Claims 2, 3, and 4 have been made dependent on Claim 1. Claim 12 has been made dependent on Claim 7 in view of the cancellation of Claim 11.

This application is now clearly in condition for allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (A-9993) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

By: Nelson H. Shapiro
Nelson H. Shapiro
Reg. No. 17,095

Miles & Stockbridge, P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

March 10, 2006